

HB 1077 - S COMM AMD

By Committee on Natural Resources, Ocean & Recreation

ADOPTED AND ENGROSSED 4/9/07

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 42.56.430 and 2005 c 274 s 423 are each amended to
4 read as follows:

5 The following information relating to fish and wildlife is exempt
6 from disclosure under this chapter:

7 (1) Commercial fishing catch data from logbooks required to be
8 provided to the department of fish and wildlife under RCW 77.12.047,
9 when the data identifies specific catch location, timing, or
10 methodology and the release of which would result in unfair competitive
11 disadvantage to the commercial fisher providing the catch data,
12 however, this information may be released to government agencies
13 concerned with the management of fish and wildlife resources;

14 (2) Sensitive fish and wildlife data ((obtained)). Sensitive fish
15 and wildlife data may be released to the following entities and their
16 agents for fish, wildlife, land management purposes, or scientific
17 research needs: Government agencies, public utilities, and accredited
18 colleges and universities. Sensitive fish and wildlife data may be
19 released to tribal governments. Sensitive fish and wildlife data may
20 also be released to the owner, lessee, or right-of-way or easement
21 holder of the private land to which the data pertains. The release of
22 sensitive fish and wildlife data may be subject to a confidentiality
23 agreement, except upon release of sensitive fish and wildlife data to
24 the owner, lessee, or right-of-way or easement holder of private land
25 who initially provided the data. Sensitive fish and wildlife data does
26 not include data related to reports of predatory wildlife as specified
27 in section 2 of this act. Sensitive fish and wildlife data must meet
28 at least one of the following criteria of this subsection as applied by
29 the department of fish and wildlife(~~(, however, sensitive wildlife data~~

1 ~~may be released to government agencies concerned with the management of~~
2 ~~fish and wildlife resources. As used in this subsection, sensitive~~
3 ~~wildlife data includes~~):

4 (a) The nesting sites or specific locations of endangered species
5 designated under RCW 77.12.020, or threatened or sensitive species
6 classified by rule of the department of fish and wildlife;

7 (b) Radio frequencies used in, or locational data generated by,
8 telemetry studies; or

9 (c) Other location data that could compromise the viability of a
10 specific fish or wildlife population, and where at least one of the
11 following criteria are met:

12 (i) The species has a known commercial or black market value;

13 (ii) There is a history of malicious take of that species and the
14 species behavior or ecology renders it especially vulnerable; (~~(or)~~)

15 (iii) There is a known demand to visit, take, or disturb(~~(, and the~~
16 ~~species behavior or ecology renders it especially vulnerable)~~) the
17 species; or

18 (iv) The species has an extremely limited distribution and
19 concentration; and

20 (3) The personally identifying information of persons who acquire
21 recreational licenses under RCW 77.32.010 or commercial licenses under
22 chapter 77.65 or 77.70 RCW, except name, address of contact used by the
23 department, and type of license, endorsement, or tag; however, the
24 department of fish and wildlife may disclose personally identifying
25 information to:

26 (a) Government agencies concerned with the management of fish and
27 wildlife resources;

28 (b) The department of social and health services, child support
29 division, and to the department of licensing in order to implement RCW
30 77.32.014 and 46.20.291; and

31 (c) Law enforcement agencies for the purpose of firearm possession
32 enforcement under RCW 9.41.040.

33 NEW SECTION. Sec. 2. A new section is added to chapter 77.12 RCW
34 to read as follows:

35 The department shall post on its internet web site all reported
36 predatory wildlife interactions, including reported human safety
37 confrontations or sightings as well as the known details of reported

1 depredations by predatory wildlife on humans, pets, or livestock,
2 within ten days of receiving the report. The posted material must
3 include, but is not limited to, the location and time, the known
4 details, and a running summary of such reported interactions by
5 identified specie and interaction type within each affected county.
6 For the purposes of this section and RCW 42.56.430, "predatory
7 wildlife" means grizzly bears, wolves, and cougars."

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8 On page 1, line 2 of the title, after "data;" strike the remainder
9 of the title and insert "amending RCW 42.56.430; and adding a new
10 section to chapter 77.12 RCW."

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